

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

Forest Department - Diversion of 629.22 Ha. of forest land in Sy.No.376 (Compt.Nos.5 & 6) of Budawada Reserved Forest of Krishna Division in Krishna District, in favour of M/s. Jaypee Balaji Cement Project, for Lime Stone mining - Permission accorded - Orders - Issued.

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**ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT**

**G.O Ms. No.130.**

**Dated:30-12-2011**

**Read the following:-**

1. From PCCF, A.P, Hyderabad Lr.Rc.No.20649/2008/F2, dated. 20.10.2010.
2. State Government letter No. 8582/For.I (1)/2010, Dated: 08-11-2010.
3. From GOI, MoEF, New Delhi, Lr.No.8-93/2010-FC, dt:01.03.2011
4. State Government letter No.8582/For.I (1)/2010, Dated: 5-7-2011.
5. From GOI, MoEF, New Delhi, Lr.F.No.8-93/2010-FC, Dated:05-12-2011.

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**ORDER:**

The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad in his letter 1<sup>st</sup> read above has submitted a proposal for diversion of 629.22 Ha. of forest land in Sy.No.376 (Compt.Nos 5 & 6) of Budawada Reserved Forest of Krishna Division in Krishna District, in favour of M/s. Jaypee Balaji Cement Project, for Lime Stone mining, and requested to forward the same to Government of India, Ministry of Environment & Forests, for their approval under Section-2 of Forest (C) Act, 1980.

2. The said proposal has been sent to Government of India for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2<sup>nd</sup> read above. The Government of India vide their letter 3<sup>rd</sup> read above, have accorded their approval in principal (**Stage.I**) for the proposal, subject to compliance of certain conditions. The State Government vide letter 4<sup>th</sup> read above, have furnished compliance report on the conditions stipulated by the Government of India.

3. The Government of India in their letter 5<sup>th</sup> read above, have accorded their approval (**Stage.II**) under Section-2 of Forest (Conservation) Act, 1980, for diversion of 629.22 Ha. of forest land in Sy.No.376 (Compt.Nos.5 & 6) of Budawada Reserved Forest of Krishna Division in Krishna District, in favour of M/s. Jaypee Balaji Cement Project, for Lime Stone mining, subject to certain conditions.

4. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad for diversion of 629.22 Ha. of forest land in Sy.No.376 (Compt.Nos.5 & 6) of Budawada Reserved Forest of Krishna Division in Krishna District, in favour of M/s. Jaypee Balaji Cement Project, for Lime Stone mining, subject to the following conditions.

1. The legal status of the diverted forest land shall remain unchanged.
2. Compensatory afforestation over the non-forest land equal in extent to the forest land being diverted shall be raised and maintained by the State Forest Department from the funds realized from the user agency.
3. The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be declared as Reserved Forest under Section 4 or Protected Forest under Section 29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act. Nodal officer must report compliance within a period of 6 months

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and send a copy of the original notification declaring the non forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant Section(s) of the local Forest Act, as the case may be, to this Ministry for information and record.

4. In Addition to the normal compensatory afforestation, the State Government shall raise the additional compensatory afforestation over the degraded forest land equal in extent to the forest land being diverted (i.e. 629.22 ha.) from funds realized from the user agency;
5. Following activities shall be undertaken by the user agency at the project cost:
  - (a) A plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented.
  - (b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion.
  - (c) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour.
  - (d) Stabilize the overburden dumps by appropriate grading / benching so as to ensure that angles of repose at any given place is less than 28°, and
  - (e) Strict adherence to the prescribed top soil management.
6. The State Government shall charge additional amount of Net Present Value (NPV) if so determined, as per the final decision of the Hon'ble Supreme Court of India from the user agency;
7. The user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986 and any other clearances required for such projects.
8. The State Government shall consider the representation of the Tribal Affairs Advisory Council of India sent to them by the Ministry of Environment & Forests vide its letter No.11-402/2010-FC dated 15.12.2010 and take appropriate action with intimation to the Ministry of Environment & Forests;
9. The user agency either himself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter strip all along the outer boundary of the area identified to undertake mining), at the project cost.
10. The user agency either himself or through the State Forest Department shall undertake afforestation on degraded forest land, one and half time in extent to the area used for safety zone
11. The period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development & Regulating) Act, 1957, or Rules framed there under, subject to a maximum period of 30 years.
12. User agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forests (having crown density less than 0.4),

if any, located in the area within 100 m. from outer perimeter of the mining lease.

13. The user agency shall undertake de-silting of the village tanks and other water bodies located within five km from the mine lease boundary so as to mitigate the impact of siltation of such tanks / water bodies, whenever required.
14. The user agency shall establish and operate a Vocational Training Institute having capacity to impart training in at least five disciplines, to be decided by the State Government concerned in consultation with the user agency, for the benefits of the eligible unemployed youth in the project affected villages. The user agency should also endeavor to employ such trained manpower in their own industry or any other appropriate industry, preferably located in vicinity of the forest land being diverted; and
15. The user agency shall setup an independent Social Welfare Department / Division and follow the subsequent condition of the project affected and the project-displaced persons in such a way as to understand their socio-economic conditions before and after the project and take such corrective measures as are necessary to restore them to their original or better - than - original condition;
16. The user agency shall undertake mining in a phased manner. The concurrent reclamation as indicated in the mine closure plan shall be executed by the User Agency from the very first year, and an annual report on implementation of the concurrent reclamation plan shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, Government of Andhra Pradesh and the Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (Southern one), Bangalore. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the user agency, the Nodal Officer or the Chief Conservator of Forests (Central) may recommend to the Ministry of Environment & Forests suitable penal action to be taken against the proponent.
17. No labour camp shall be established on the forest land.
18. The User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;
19. The boundary of the mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, DGPS coordinates, forward and back bearing, and distance from adjoining pillars etc.
20. The forest land shall not be used for any purpose other than that specified in the proposal.
21. User Agency shall submit an annual self-monitoring report indicating status of the implementation of the conditions stipulated in the approval accorded for diversion of the said forest land to the State Government and the concerned Regional Office of the Ministry.

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22. Any other condition that the Southern Regional Office of this Ministry, Bangalore and the State Government of Andhra Pradesh may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife and

23. The User Agency and the State Government of Andhra Pradesh shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

5. Permission is also hereby accorded to construct and maintain a Rescue and Rehabilitation Centre (RRCP) at the cost of Rs.1.1 crores for primates in Jaggayyapet Extn. Reserve Forest of Vijayawada forest division, subjects to the condition that the Rescue and Rehabilitation Centre for primates shall be constructed and maintained at the cost of user agency in a perfect conditions for ever so that the centre can properly be utilized for capturing, housing and rehabilitating the trouble causing primates (monkeys). The Chief Wildlife Warden, Andhra Pradesh, should get the centre constructed, maintained and supervised by the Forest Department.

6. The Principal Chief Conservator of Forests, Andhra Pradesh, Hyderabad is directed to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.SAMUEL,  
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To  
The Principal Chief Conservator of Forests,  
Andhra Pradesh, Hyderabad.

The Principal Chief Conservator of Forests (Wildlife) &  
Chief Wildlife Warden, Andhra Pradesh, Hyderabad.

**Copy to:**

The Chief Conservator of Forests (Central )  
Government of India, Ministry of Environment & Forests,  
Regional Office (Southern Zone) Kendriya Sadan, IV Floor E & F Wings,  
17<sup>th</sup> Main Road, II Block, Koramangala, BANGALORE-560 034.

The Inspector General of Forests,  
Government of India, Ministry of Environment & Forests,  
Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi-110 003

M/s Jaypee Balaji Cement Project, Post Box No. 9, S.No. 99,  
Budavada Village, Jaggaiahpetta Mandal, Krishna District.

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER